

Christopher A. Seeger, Esq.  
Stephen A. Weiss, Esq.  
SEEGER WEISS LLP  
One William Street  
New York, NY 10004  
Tel. (212) 584-0700  
Fax. (212) 584-099

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOHN W. OUGHTRED, Individually  
And On Behalf of All Others Similarly Situated,

Plaintiff,

v.

E\*TRADE Financial Corporation and E\*TRADE  
Securities LLC,

Defendants.

Civil Action No.: 08-cv-03295

**PLAINTIFF'S MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

ELECTRONICALLY FILED CASE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Stephen A. Weiss, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of the following two attorneys of the same firm:

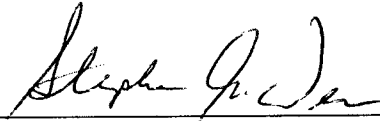
Applicants' Names: NORMAN E. SIEGEL and MATTHEW L. DAMERON  
Firm Name: Stueve Siegel Hanson LLP  
Address: 460 Nichols Road, Suite 200  
City/State/Zip: Kansas City, Missouri 64112  
Tel: (816) 714-7170  
Fax: (816) 714-7101

NORMAN E. SIEGEL is a member in good standing of the United States District Court for the District of Kansas and the Western District of Missouri. There are no pending disciplinary proceedings against Mr. Siegel in any State or Federal Court.

MATTHEW L. DAMERON is a member in good standing of the United States District Court for the District of Kansas and the Western District of Missouri. There are no pending disciplinary proceedings against Mr. Dameron in any State or Federal Court. Attached hereto as Exhibit A are original certificates of good standing for Mr. Siegel and Mr. Dameron from the U.S. District Court of Kansas and the Western District of Missouri.

Dated: May 29, 2008  
New York, New York

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stephen A. Weiss", is written over a horizontal line.

Stephen A. Weiss (SW-3520)  
Christopher A. Seeger (CS-4880)  
SEEGER WEISS LLP  
One William Street  
New York, NY 10004  
(212) 584-0700 telephone  
(212) 584-0799 facsimile  
sweiss@seegerweiss.com  
cseeger@seegerweiss.com

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Stephen A. Weiss, Esq.  
SEEGER WEISS LLP  
One William Street  
New York, NY 10004  
Tel. (212) 584-0700  
Fax. (212) 584-099

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOHN W. OUGHTRED, Individually  
And On Behalf of All Others Similarly Situated,

Plaintiff,

v.

E\*TRADE Financial Corporation and E\*TRADE  
Securities LLC,

Defendants.

**Civil Action No.: 08-cv-03295**

**AFFIDAVIT OF STEPHEN A. WEISS  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

**ELECTRONICALLY FILED CASE**

State of New York )

County of New York ) ss:

Stephen A. Weiss, being duly sworn, hereby deposes and says as follows:

1. I am a partner at the law firm of Seeger Weiss LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiff's motion to admit Norman E. Siegel and Matthew L. Dameron, of the firm Stueve Siegel Hanson LLP, as counsel *pro hac vice* to represent the Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in June 1992. I am also admitted to the bar of the United States District Court for the Southern and Eastern District of New York, and am in good standing thereof.

3. Norman E. Siegel is a partner of the law firm Stueve Siegel Hanson LLP.

4. Matthew L. Dameron is an associate with the law firm Stueve Siegel Hanson LLP.

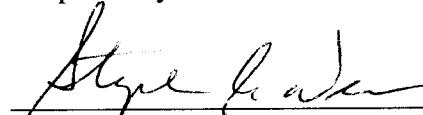
5. Although I have known Norman Siegel and Matthew L. Dameron for a short time, I have known of their firm, Stueve Siegel Hanson LLP, for a considerably long period of time and can attest to Mr. Siegel's and Mr. Dameron's fine qualities as skilled attorneys and persons of integrity. They are experienced in Federal practice and are familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of Norman E. Siegel and Matthew L. Dameron, *pro hac vice*. A proposed order is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Norman E. Siegel and Matthew L. Dameron to represent the Plaintiff in the above captioned matter, be granted.

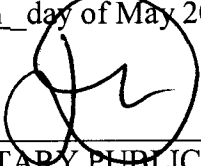
Dated: May 29, 2008  
New York, New York

Respectfully submitted,



Stephen A. Weiss (SW-3520)  
Christopher A. Seeger (CS4880)  
SEEGER WEISS LLP  
One William Street  
New York, NY 10004  
(212) 584-0700 telephone  
(212) 584-0799 facsimile

Sworn before me this  
29th day of May 2008



NOTARY PUBLIC

**Jose D. Mora**  
**Notary Public State of New York**  
**No. 03-0062363 Qualified in Bronx County**  
**Certificate Filed in New York County**  
**Commission Expires August 6, 2009**

**CERTIFICATE OF SERVICE**

J. Daniel Mora, being duly sworn, hereby deposes and says:

I am over the age of eighteen years and not a party to the within action and am employed by the firm Seeger Weiss LLP, counsel for the plaintiff.

On May 29, 2008 I cause a true and correct copy of the foregoing  
**PLAINTIFF'S MOTION TO ADMIT COUNSEL *PRO HAC VICE***, to be served via U.S. Mail,  
with proper postage prepaid on all counsel of record at the following addresses:

Nicolas Morgan  
Perrie M. Weiner  
Joshua Samuel Sohn  
DLA Piper US LLP  
1251 Avenue of the Americas  
New York, NY 10020-1104  
(212)335-4500  
(212)335-4501

Representing E\*Trade Financial Corporation, E\*Trade Securities LLC

Perrie M. Weiner  
Gregg P. Zucker  
DLA Piper US LLP  
1999 Avenue of the Stars  
Suite 400  
Los Angeles, CA 90067  
(310) 595-3024  
(310) 595-3324

Representing E\*Trade Financial Corporation, E\*Trade Securities LLC

Dated: May 29, 2008

A handwritten signature in black ink, appearing to be 'J. Daniel Mora', written over a horizontal line.

J. Daniel Mora

# EXHIBIT A

## CERTIFICATE OF GOOD STANDING

**UNITED STATES OF AMERICA**

)

)

ss.

**WESTERN DISTRICT OF MISSOURI**

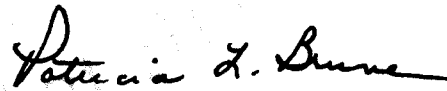
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I, Patricia L. Brune, Clerk of the United States District Court for the Western District of Missouri,

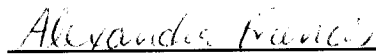
DO HEREBY CERTIFY that Norman E. Siegel was duly admitted to practice in said Court on October 8, 1993.

Norman E. Siegel is currently in an active status and has not been disciplined by this Court.

Dated at Kansas City, Missouri  
on May 21, 2008



Patricia L. Brune, Clerk

By   
Alexandra Francis, Deputy Clerk



UNITED STATES DISTRICT COURT

DISTRICT OF

KANSAS

**CERTIFICATE OF  
GOOD STANDING**

I, TIMOTHY M. O'BRIEN, Clerk of this Court,

certify that Norman E. Siegel, Bar # 70354,

*was duly admitted to practice in this Court on*

July 31, 1998, and is in good standing  
*DATE*

*as a member of the Bar of this Court.*

*Dated at* Kansas City, Kansas *on* May 22, 2008.  
*LOCATION DATE*

TIMOTHY M. O'BRIEN  
*CLERK*

  
*DEPUTY CLERK*

# CERTIFICATE OF GOOD STANDING

**UNITED STATES OF AMERICA** )  
 )  
 ) **SS.**  
**WESTERN DISTRICT OF MISSOURI** )

I, Patricia L. Brune, Clerk of the United States District Court for the Western  
District of Missouri,

DO HEREBY CERTIFY that Matthew L. Dameron was duly admitted to practice  
in said Court on October 25, 2002.

Matthew L. Dameron is currently in an active status and has not been disciplined by this Court.

Dated at Kansas City, Missouri  
on May 21, 2008

Patricia L. Burns

Patricia L. Brune, Clerk

By Alexandria Francis

Alexandra Francis, Deputy Clerk

UNITED STATES DISTRICT COURT

DISTRICT OF

KANSAS

**CERTIFICATE OF  
GOOD STANDING**

I, TIMOTHY M. O'BRIEN, *Clerk of this Court,*

*certify that* Matthew L. Dameron, *Bar #* 21071,

*was duly admitted to practice in this Court on*

April 25, 2003, *and is in good standing*  
*DATE*

*as a member of the Bar of this Court.*

*Dated at* Kansas City, Kansas *on* May 22, 2008.  
*LOCATION DATE*

TIMOTHY M. O'BRIEN  
*CLERK*

  
*DEPUTY CLERK*

## EXHIBIT B

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOHN W. OUGHTRED, Individually  
And On Behalf of All Others Similarly Situated,

Plaintiff,

v.

E\*TRADE Financial Corporation and E\*TRADE  
Securities LLC,

Defendants.

**Civil Action No.: 08-cv-03295**

**ORDER FOR ADMISSION  
PRO HAC VICE ON  
WRITTEN MOTION**

**ELECTRONICALLY FILED CASE**

Upon the motion of Stephen A. Weiss, attorney for plaintiff John W. Oughtred, and said sponsor of attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

NORMAN E. SIEGEL & MATTHEW L. DAMERON  
Stueve Siegel Hanson  
460 Nichols Road Suite, 200  
Kansas City, Missouri  
Email: [siegel@stuevesiegel.com](mailto:siegel@stuevesiegel.com)  
[mdameron@stuevesiegel.com](mailto:mdameron@stuevesiegel.com)

are admitted to practice *pro hac vice* as counsel for John W. Oughtred, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: June \_\_\_\_\_, 2008

New York, New York

By: \_\_\_\_\_  
United States District Court Judge